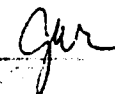


UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
OCT 30 2014

Per   
DEPUTY CLERK

\_\_\_\_\_  
WILBY BARNETT,

Plaintiff,

v.

UNITED STATES OF AMERICA,

\_\_\_\_\_  
Defendant.

Civil Action No. 3:12-CV-1653

(Judge Kosik)

**ORDER**

AND NOW, THIS 30<sup>th</sup> DAY OF OCTOBER, 2014, IT IS HEREBY ORDERED  
THAT:

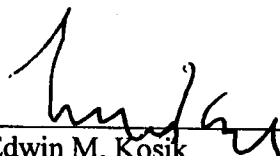
[1] The Defendant's Motion to Dismiss, or in the Alternative, for Summary Judgment  
(Doc. 20) is **GRANTED**;

[a] Defendant's motion to dismiss for lack of subject matter jurisdiction as to  
Plaintiff's claim for negligent construction or reconstruction is **GRANTED**;

[b] Defendant's motion for summary judgment as to Plaintiff's claim for negligent  
maintenance of Route 209 is **GRANTED**;

[2] Judgment is hereby entered in favor of the Defendant and against the Plaintiff; and

[3] The Clerk of Court is further directed to **CLOSE** this case.

  
\_\_\_\_\_  
Edwin M. Kosik  
United States District Judge